

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Plaintiff,

vs.

Civil Action No. 03-40266 CWS

TOWN OF NORTH BROOKFIELD,
Defendant.

AFFIDAVIT OF JEFF D. BERNARDUCCI

I, Jeff D. Bernarducci, am an attorney in the Boston office of Holland & Knight LLP and have previously appeared in the above-captioned matter for American Manufacturers Mutual Insurance Company ("AMMIC"). I have personal knowledge of the following, except where stated to be upon information and belief. I make this affidavit in support of the Joint Motion to Extend Tracking filed by AMMIC and the Town of North Brookfield (the "Town") (collectively, the "Parties").

1. Counsel for the Parties have diligently conducted paper discovery, have produced privilege logs and are near completing all supplemental document productions.

2. Neither party has taken a deposition in this case as document production has been voluminous – requiring AMMIC (and the Town on information and belief) extra time to either prepare, review, or create the documents themselves and/or extensive privilege logs.

3. The Parties have conferenced and mutually concur that extending the tracking in this case by three (3) months will provide the additional time necessary to properly complete discovery in this matter.

4. The Parties have conferenced and mutually concur that service of Requests for Admission outside the 10/1/05 written discovery deadline may obviate the need for certain depositions.

Signed under the pains and penalties of perjury this 14 day of February, 2005,

/s/ Jeff D. Bernarducci
Jeff D. Bernarducci

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